

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CHARITY STEPHEN-WHITAKER,

Plaintiff,

Case No. 3:20-cv-461

vs.

GASPER COUNTY BOARD
OF TRUSTEES, *et al.*,

District Judge Michael J. Newman
Magistrate Judge Caroline H. Gentry

Defendants.

**ORDER REQUIRING THE PARTIES TO FILE AN AMENDED SETTLEMENT
AGREEMENT WITHOUT A CONFIDENTIALITY PROVISION BY APRIL 25, 2022
(Doc. No. 18)**

This civil case is before the Court on the parties' joint motion to approve their proposed settlement agreement under the Fair Labor Standards Act ("FLSA"). Doc. No. 18. Section 1(h) of the agreement forbids Plaintiff and her attorney from disclosing:

to any person or any entity . . . the terms of the settlement, the terms of this Release, the claims, the facts surrounding the claims, and any tape recordings or other documentation of any type that in any manner relates to the claims or any of the facts surrounding the claims, all of which shall remain strictly confidential[.]

Doc. No. 18 at PageID 82.

This Court previously ordered the parties to brief why the settlement agreement should be approved even though it contains this confidentiality provision. Doc. No. 20 at PageID 102. Rather than submitting briefs, the parties filed a joint stipulation, agreeing to remove this confidentiality provision from their settlement agreement. Doc. No. 21. However, the parties have not filed a proposed amended settlement agreement without this confidentiality provision. Given the absence of the briefing previously ordered, the Court declines to approve the settlement

agreement in its current iteration. *See* Doc. No. 20. Therefore, the Court **ORDERS** the parties to file a proposed amended settlement agreement without the confidentiality provision by **April 25, 2022.**

IT IS SO ORDERED.

April 11, 2022

/s Michael J. Newman
Hon. Michael J. Newman
United States District Judge